

REMARKS

The Official Action dated August 18, 2006 has been received and its contents carefully noted. In view thereof, claims 1, 5 and 11 have been amended in order to better define that which Applicants regard as the invention. As previously, claims 1, 2, 4, 5 and 7-14 are presently pending in the instant application.

With reference now to page 2 of the Office Action, claims 1, 2, 4, 5 and 7-14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,168,726 issued to Li et al. in view of U.S. Patent No. 6,485,988 issued to Ma et al. as well as U.S. Patent No. 6,054,379 issued to Yau et al. This rejection is respectfully traversed in that the combination proposed by the Examiner neither discloses or suggests that which is presently set forth by Applicants' claimed invention.

As can be seen from the foregoing amendments, each of independent claims 1, 5 and 11 have been amended to better define that which Applicants regard as the invention. Particularly, each of these claims have been amended to recite that the carbon content of the organic/inorganic hybrid film is about more than 17% and no more than 37%, and the nitrogen content in the organic/inorganic hybrid film is more than 0% and 5% or less. That is, in accordance with Applicants' claimed invention some nitrogen content is provided in the organic/inorganic hybrid film in that such content is recited as being more than 0% and 5% or less.

As the Examiner acknowledges on page 3 of the Office Action as well as in the discussion of Applicants' previous response, Li et al. teaches the composition as including hydrogen, carbon, silicon and oxygen in the atomic percentages of 52, 8, 19 and 21, respectively. Therefore, the Examiner has taken the position that such a composition reads on Applicants' previous limitation of a nitrogen content being 5% or less in that the nitrogen

content of the composition as taught by Li et al. is zero, fails to include any nitrogen and thus is of a nitrogen content of 5% or less.

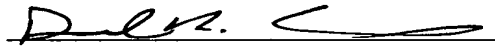
With the composition set forth by Applicants' claimed invention and particularly that set forth in independent claims 1, 5 and 11, devices having a low dielectric constant can be obtained. Particularly, the characteristic that the carbon content is about more than 17% and no more than 37% can reduce the dielectric constant of the film. Moreover, the characteristic that the nitrogen content is more than 0% and 5% or less can suppress the increase in dielectric constant by the nitrogen component. Further, with Si-N binding formed by the nitrogen content in the film, an etching can be performed without suppressing the etching in the contact hole. Clearly, this is not the case with the combination proposed by the Examiner.

Accordingly, in that Li et al. fails to disclose or remotely suggest a nitrogen component as set forth in Applicants' claimed invention which clearly recites that the nitrogen component of an organic/inorganic hybrid film is more than 0% and 5% or less, it is respectfully submitted that Applicants' claimed invention clearly distinguishes over teachings of Li et al. Furthermore, it is respectfully submitted that Ma et al. and Yau et al. fail to overcome such shortcomings. Consequently, it is respectfully submitted that Applicants' claimed invention as recited in each of independent claims 1, 5 and 11 as well as those claims which depend therefrom clearly distinguish over the combination proposed by the Examiner and are in proper condition for allowance.

Therefore, in view of the foregoing it is respectfully requested that the rejection of record be reconsidered and withdrawn by the Examiner, that claims 1, 2, 4, 5 and 7-14 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



Donald R. Studebaker

Reg. No. 32,815

Nixon Peabody LLP

401 9th Street N.W.

Suite 900

Washington, D. C. 20004

(202) 585-8000